

KWARTLER MANUS, L.L.C.

BY: BRIAN M. MAGGIO, ESQUIRE

I.D. NO.: 040112002

1429 Walnut Street, Suite 701

Philadelphia, PA 19102

(267) 457-5570

Attorney for Plaintiff

<u>DAMON ROGERS</u>	:	SUPERIOR COURT OF NEW JERSEY
200 Pettinaro Drive, Apt. C5	:	LAW DIVISION
Elkton, MD 21921	:	BURLINGTON COUNTY
	:	
v.	:	Docket No.
	:	
TRANE TECHNOLOGIES	:	<i>Civil Action</i>
COMPANY LLC	:	
800-E Beaty Street	:	COMPLAINT, JURY DEMAND
Davidson, NC 28036	:	NOTICES AND CERTIFICATION
	:	

Plaintiff, Damon Rogers, residing at the above-captioned address, by way of Compliant against Defendant, Trane, say

1. Defendant, Defendant, Trane Technologies Company LLC, is a business entity and/or corporation with a business address listed in the caption of this Complaint.

2. At all times material hereto Defendant was acting individually, jointly and/or by and through Defendant's agents, servants, franchisees, workmen and/or employees.

3. On or around September 1, 2020, Plaintiff Damon Rogers, in the course of his employment, was delivering aluminum materials at 26 Worlds Fair Drive, Somerset, NJ 08873.

4. Said aluminum materials had been packaged and shipped by the Defendant, Trane Technologies Company LLC.

5. Due to the negligent manner in which the aluminum materials were packaged and shipped, said aluminum materials caused a severe laceration to Plaintiff's left forearm area during the unloading process.

5. As a result of this accident, the Plaintiff suffered severe and permanent bodily injury as more fully set forth at length below.

COUNT 1-NEGLIGENCE
Damon Rogers v. Trane

6. Plaintiff incorporates herein the allegations set forth in the previous paragraphs, inclusive, as if set forth here at length.

7. Plaintiff alleges, that at all times relevant herein, Defendant Trane Technologies Company LLC, acted negligently, carelessly, and/or recklessly, by packaging and shipping the aluminum materials in an unsafe manner.

8. As a direct of the negligence, careless and/or reckless conduct of Defendant, the Plaintiff suffered various serious and permanent personal injuries, serious impairment of body function and/or permanent disfigurement, and/or aggravation of pre-existing conditions, including, but not limited to: a 9 centimeter laceration on the left forearm which cut through the epidermal and dermal layers of the skin down to the subcutaneous and myofascial muscle tissue and required 12 sutures, permanent scarring, and other ills and injuries.

9. As a result of these injuries, all of which are to Plaintiff's great financial detriment and loss, Plaintiff has in the past, is presently and may in the future suffer great pain, anguish, sickness and agony and will continue to suffer for an indefinite time.

10. As an additional result of the carelessness, negligence and/or recklessness of Defendant, Plaintiff has suffered emotional injuries along with the physical injuries suffered.

11. As a further result of the injuries sustained, the Plaintiff has, is presently, and may in the future undergo a great loss of earnings and/or earning capacity, all to the further loss and detriment of the Plaintiff.

12. In addition to all the injuries and losses suffered, the Plaintiff has incurred or will incur medical, rehabilitative and other related expenses in the amount equal to and/or in excess of any applicable health insurance coverage for which Plaintiff has not been reimbursed and upon which the Plaintiff makes a claim for payment in the present action.

WHEREFORE, Plaintiff, Damon Rogers, demands judgement against the Defendant for compensatory and punitive damages, interest, and cost of suit.

KWARTLER MANUS, LLC.

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BRIAN M. MAGGIO, ESQUIRE

CERTIFICATE PURSUANT TO R4:5-1

Plaintiff, Damon Rogers, by his attorney, hereby certify that the matter in controversy is not the subject of any other pleading or contemplated judicial or arbitration proceeding. Plaintiff is not currently aware of any other party that should be joined in this action.

KWARTLER MANUS, L.L.C.



BRIAN M. MAGGIO, ESQUIRE

Dated: April 20, 2022

DESIGNATION OF TRIAL COUNSEL

Pursuant to R 4:25-4, Plaintiff, Damon Rogers, designates Brian M. Maggio, Esquire, as trial counsel in this matter.

KWARTLER MANUS, L.L.C.



BRIAN M. MAGGIO, ESQUIRE

Dated: April 20, 2022

JURY DEMAND

PLEASE TAKE NOTICE that the Plaintiff in the within action hereby demands a trial by jury of six (6) persons pursuant to the Rules of this Court.

KWARTLER MANUS, L.L.C.



BRIAN M. MAGGIO, ESQUIRE

Dated: April 20, 2022

NOTICE PURSUANT TO RULES 1:5-1(a) and RULE 4:17-4(c)

TAKE NOTICE that the undersigned attorney, counsel for Plaintiff, hereby demands pursuant to Rule 1:5-1(a) and Rule 4:17-4(c) that each party herein serving pleadings and interrogatories and receiving answers thereto serve copies of all such pleadings and answered interrogatories received from any party upon the undersigned attorney and **TAKE NOTICE** that this is a continuing demand.

KWARTLER MANUS, L.L.C.



BRIAN M. MAGGIO, ESQUIRE

Dated: April 20, 2022

DEMAND FOR INTERROGATORIES

Plaintiff demands Defendant answer form Interrogatories C of Appendix II of the Rules of Court.

KWARTLER MANUS, L.L.C.



BRIAN M. MAGGIO, ESQUIRE

Dated: April 20, 2022

**NOTICE OF UTILIZATION OF TIME UNIT METHOD OF CALCULATING
DAMAGES**

Be advised that Plaintiff may utilize the time unit method for calculating damages at the time of trial.

KWARTLER MANUS, L.L.C.

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BRIAN M. MAGGIO, ESQUIRE

Dated: April 20, 2022

NOTICE TO UTILIZE MEDICAL ILLUSTRATIONS

Plaintiff's experts may utilize medical charts and/or medical diagrams and/or medical illustrations of the affected areas of the body at the time of trial.

KWARTLER MANUS, L.L.C.

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BRIAN M. MAGGIO, ESQUIRE

Dated: April 20, 2022

Civil Case Information Statement

Case Details: BURLINGTON | Civil Part Docket# L-000756-22

Case Caption: ROGERS DAMON VS TRANE
TECHNOLOGIES C OMPANY LL

Case Initiation Date: 04/26/2022

Attorney Name: BRIAN M MAGGIO

Firm Name: KWARTLER MANUS, LLC.

Address: 1429 WALNUT ST STE 701

PHILADELPHIA PA 19102

Phone: 2674575570

Name of Party: PLAINTIFF : Rogers, Damon

Name of Defendant's Primary Insurance Company
(if known): Unknown

Case Type: PERSONAL INJURY

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO

Are sexual abuse claims alleged by: Damon Rogers? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO **Title 59?** NO **Consumer Fraud?** NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

04/26/2022

Dated

/s/ BRIAN M MAGGIO

Signed

